REMARKS/ARGUMENTS

Applicant has received the Office Action dated June 10, 2010, in which the Examiner: 1) rejected claims 1-2 under 35 U.S.C. § 102(e) as allegedly anticipated by Abtin (U.S. Pat. Pub. 2003/0078053, hereinafter *"Abtin"*); 2) rejected claims 3-31 under 35 U.S.C. § 103(a) as allegedly obvious over *Abtin* in view of Chaudhari (U.S. Pat. Pub. No. 2004/0259535, hereinafter *"Chaudhari"*); 3) rejected claims 32-40 under 35 U.S.C. § 102(e) as allegedly anticipated by *Chaudhari*; and 4) rejected claims 41-42 under 35 U.S.C. § 103(a) as allegedly obvious over *Chaudhari* in view of Das (U.S. Pat. No. 7,310,307, hereinafter *"Das"*).

With this Response, Applicant has amended claims 16 and 34. In light of the amendments and arguments presented herein, Applicant respectfully submits that all claims are in condition for allowance.

I.   REJECTIONS UNDER 35 U.S.C. § 102 OVER *ABTIN*

A.   Claim 1

Independent claim 1 requires "an application server . . . connecting the mobile portal to the mobile server." The Examiner declined to clearly and with specificity identify the mobile server or the application server of *Abtin*, but cited Fig. 1, and ¶¶ [0013] and [0015] as allegedly teaching these servers arranged as in claim 1. The access server 50 cannot serve as the mobile server because, as shown in Fig. 1, the access server 50 is not connected to the mobile portal 25 by an application server. Similarly, the access server 50 cannot serve as the application server because, as shown in Fig. 1, the access server 50 does not connect the mobile portal 25 to a mobile server. *Abtin* ¶ [0013] teaches that the LDAP profile databases 40 comprise server nodes. The Examiner may intend that the database server nodes correspond to the application server, but no one skilled in the art would consider a database to be an application server. The location privacy proxy 15 is a function, rather than a server. *Abtin* ¶ [0013]. If a server were connected with the location based services 30, that server could not

be the application server because, as shown in Fig. 1, it would fail to connect the portal 25 to another server. The Examiner may otherwise believe that a server not expressly taught in *Abtin* is inherently taught. Unfortunately, Applicant is unable to discern the Examiner's reasoning as to the servers of claim 1. "The goal of examination is to clearly articulate any rejection . . . so that the applicant has the opportunity to provide evidence of patentability and otherwise reply completely at the earliest opportunity." MPEP § 706. Applicant respectfully requests that if the Examiner believes *Abtin* teaches these limitations, the Examiner clarify the application of *Abtin* to the present claim.

For the reasons given above, Applicant respectfully submits that *Abtin* fails to teach each and every limitation of independent claim 1, and therefore respectfully submits that claims 1 and 2 are allowable over the cited art.

B.   Claim 2

Claim 2 requires "the web services interface is discoverable and invokeable as a stand-alone web service." The Examiner cited *Chaudhari* ¶¶ [0013] and [0015] as allegedly teaching these limitations. *Office Action*, p. 3 (June 10, 2010). *Chaudhari* ¶¶ [0013] and [0015] contain no teachings even remotely related to these limitations. Furthermore, the Examiner rejected claim 2 over *Abtin* rather than *Chaudhari*, but failed to cite any portion of *Abtin* teaching the limitations of claim 2. "[I]t is incumbent upon the examiner to identify wherein each and every facet of the claimed invention is disclosed in the applied reference" *Ex parte Levy*, 17 USPQ.2d 1461, 1462 (BPAI 1990). For at least these additional reasons, Applicant respectfully submits that claim 2 is allowable over the cited art.

II.   REJECTIONS UNDER 35 U.S.C. § 103 OVER *ABTIN* AND *CHAUDHARI*

A.   Claims 3-23

Claims 3-23 depend from independent claim 1. *Chaudhari* fails to satisfy the deficiencies of *Abtin* explained above with regard to claim 1. Therefore,

Applicant respectfully submits that claims 3-23 are allowable over the cited art for much the same reasons as are given above with regard to claim 1.

B.   Claim 3

Claim 3 requires "the application server having the web services interface includes a set of business logic instructions to manage access and control of the user profile data." The Examiner admitted that *Abtin* fails to teach these limitations and cited *Chaudhari* Abstract and ¶ [0044] as allegedly so teaching. The *Chaudhari* abstract fails to mention business rules or their relationship to user profile data. *Chaudhari* ¶ [0044] teaches business rules chosen to create service objects. The relationship of business rules to user profile data taught by *Chaudhari* is clearly seen in Figs. 5 and 7 where profile 301 and rules 307 are shown as inputs to the process of creating a service object. However, *Chaudhari* fails to teach or suggest that the rules 307 manage access and control the profile data 301. Instead, *Chaudhari* teaches that the mobile service provider 101 has access to the profile 301 and rules 307 while specifying variables relevant to a service capability. *Chaudhari*, ¶ [0131]. For at least this additional reason, Applicant respectfully submits that claim 3 is allowable over the cited art.

C.   Claim 16

Claim 16 has been amended to require "the gateway connects the mobile portal to the communication network." Support for these limitations can be found at least in Fig. 1 of the present application. *Abtin* fails to teach these limitations as the *Abtin* mobile portal 25 is disposed between the gateway 55 and the network 65. *Chaudhari* fails to satisfy the deficiency of *Abtin* at least because *Chaudhari* fails to even mention a mobile portal. For at least these additional reasons, Applicant respectfully submits that claim 16 is allowable over the cited art.

D.   Claim 24

The Examiner rejected claim 24 "using similar rationale" that applied to claims 1-23. *Office Action*, p. 7 (June 10, 2010).

Independent claim 24 requires "an application server . . . to connect the mobile portal to the mobile server." These limitations are similar to those of claim 1 explained above. As explained with regard to claim 1, *Abtin* fails to teach these limitations. *Chaudhari* fails to satisfy these deficiencies of *Abtin*.

Claim 24 also requires "the application server including a set of business rules associated with accessing an associated database structure in memory." These limitations are similar to those of claim 3 explained above. As explained with regard to claim 3, *Abtin* and *Chaudhari* fail to teach these limitations.

Claim 24 further requires "the database containing a compilation of user profile data from multiple network sources." These limitations are included in none of claims 1-23, and the Examiner has provided no showing of any such teaching or suggestion in *Abtin* and *Chaudhari*.

Claim 24 yet further requires "the business rules include executable instructions to make the user profile data accessible across multiple network applications." The Examiner admitted that *Abtin* fails to teach "business instructions to manage access and control of the user profile data." *Office Action*, p. 4 (June 10, 2010). As explained with regard to claim 3, *Chaudhari* fails to teach or suggest such business rules.

For at least these reasons, Applicant respectfully submits that *Abtin* and *Chaudhari* fail to teach or suggest the limitations of claim 24, and that claim 24 is allowable over the cited art.

E.   Claim 25

The Examiner rejected independent claim 25 "using similar rationale" that applied to claims 1-23. *Office Action*, p. 7 (June 10, 2010).

Claim 25 requires "providing business rules to an application server, the business rules associated with accessing user profile data to make a user

profile service database accessible across multiple network applications." These limitations are similar to those of claim 24. As explained with regard to claim 24, *Abtin* and *Chaudhari* fail to teach or suggest these limitations.

Claim 25 also requires "accessing the user profile service database when the request has been authorized by the applied business rules." None of claims 1-23 includes these limitations, and the Examiner has provided no showing of any such teaching or suggestion in *Abtin* and *Chaudhari*.

For at least these reasons, Applicant respectfully submits that *Abtin* and *Chaudhari* fail to teach or suggest the limitations of claim 25, and that claim 25-31 is allowable over the cited art.

III. **REJECTIONS UNDER 35 U.S.C. § 102 OVER *CHAUDHARI***

A. **Claim 32**

Independent claim 32 requires "collecting . . . a given user's user profile data from multiple network sources in a localized database." The Examine cited *Chaudhari* ¶¶ [0041], [0043], [0046], and [0051] as allegedly teaching these limitations. *Chaudhari* ¶ [0041] teaches that the Meta Controller 211 controls all the elements of the system. *Chaudhari* ¶ [0043] teaches that the Meta Directory 203 includes Subscriber Profile 301. *Chaudhari* ¶ [0046] teaches that the Context Server 205 collects information about the user 105 from network infrastructure. *Chaudhari* ¶ [0051] teaches that information from the Meta Directory 203 and the Context Server 205 is used to fill in subscription parameters. However, *Chaudhari* fails to expressly teach that user profile information is stored in a localized database. Furthermore, a localized database is not inherent as *Chaudhari* may store user profile data in a distributed database.

Claim 32 also requires "providing business rules to an application server to manage access to the given user's collected user profile data in the database." The Examiner cited *Chaudhari* ¶¶ [0043] and [0049] as allegedly teaching these limitations. *Chaudhari* ¶ [0043] teaches that the Meta Directory

203 includes Subscriber Profile 301, and teaches that the Policy Repository 303 stores policy rules that are based on the network capabilities of the mobile service provider. *Chaudhari* ¶ [0049] teaches that the Meta Controller 211 "decides policies that are to be imposed on the system so as to enable efficient delivery of services," (i.e., policies based on network capabilities as explained above). Applicant respectfully submits that neither of the cited portions of *Chaudhari* teach or suggest "manag[ing] access to the given user's collected user profile data in the database." As explained above, the business rules 307 are not applied to manage access to the profile 307. Similarly, the network capability based policies of *Chaudhari* do not manage access to a user profile.

For at least these reasons, Applicant respectfully submits that *Chaudhari* fails to teach the limitations of claim 32, and that claim 32 is allowable over the cited art.

B.   Claim 33

Independent claim 33 includes limitations similar to those of claim 32 described above. Therefore, Applicant respectfully submits that claim 33 is allowable over the cited art for much the same reasons as are given above with regard to claim 32.

C.   Claim 34

Independent claim 34 requires "an application server having a web services interface and accessible by a mobile network." Applicant is unable to identify any citation of *Chaudhari* by the Examiner directed to these limitations. If the Examiner intended that the citation of *Chaudhari* ¶ [0043] subsequent to the "means for storage" recitation be applied to the "application server" limitations, then Applicant respectfully submits that *Chaudhari* ¶ [0043] fails to teach "an application server having a web services interface and accessible by a mobile device." *Chaudhari* ¶ [0043] teaches contents of the Meta Directory 203, such as profile data, policy rules, and rights. No application server is taught or even suggested. "[I]t is incumbent upon the examiner to identify

wherein each and every facet of the claimed invention is disclosed in the applied reference" *Ex parte Levy*, 17 USPQ.2d 1461, 1462 (BPAI 1990).

Claim 34 has also been amended to require "means for registering user profile data stored on the user profile service database with one or more third party databases." Support for the amendment can be found at least at p. 9, lines 6-11 of the specification. *Chaudhari* fails to teach these limitations.

The "means for registering" limitations are similar to those of claim 23. The Examiner cited *Abtin* ¶¶ [0013] and [0015] as allegedly teaching these limitations. *Abtin* ¶ [0013] teaches profile databases 40 that are controlled by an operator. *Abtin* ¶ [0015] teaches adding an application to a list of allowed applications for a user in the database 40 based on user authorization. Applicant is unable to identify any reference to registering profile data stored in the database 40 in a third-party database.

For at least these reasons, Applicant respectfully submits that claims 34-40 are allowable over the cited art.¶

IV. REJECTIONS UNDER 35 U.S.C. § 103 OVER *CHAUDHARI* AND *DAS*

Claims 41-42 depend from independent claim 34. *Das* fails to satisfy the deficiencies of *Chaudhari* explained above with regard to claim 34. Therefore, Applicant respectfully submits that claims 41-42 are allowable over the cited art for much the same reasons as are given above with regard to claim 34.

V. CONCLUSION

In the course of the foregoing discussions, Applicant may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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